

SUMMARY

2003 NOAA FISHERIES CONSTITUENT SESSIONS

Pacific Region

ACKNOWLEDGEMENTS

Many individuals are responsible for making the 2003 Constituent Sessions for the Pacific region a success. To acknowledge the contributions of each of these individuals by name is not possible because so many people and organizations assisted in this endeavor. We especially thank the participants for sharing their views during the sessions. Without their participation, the constituent sessions would not have been successful.

We thank the National Marine Fisheries Service (NOAA Fisheries) for all their support, both financial and in-kind. It is gratifying to be part of a process in which a federal agency actively seeks its constituents' opinions on important issues. Dr. William Hogarth, Assistant Administrator for NOAA Fisheries, participated in each of the constituent's sessions. Without his participation, the process would not have been so well received.

Finally, we thank the Pacific States Fishery Management Commission for selecting MerrellKatsouros LLP to help with the 2003 Constituent Sessions. We have learned a great deal from listening to the fisheries stakeholders and we hope that knowledge is reflected in our reports.

MERRELLKATSOUROS LLP

MerrellKatsouros LLP is a registered limited liability partnership in the Commonwealth of Virginia. Mary Hope Katsouros, Esq. and William Merrell, PhD, founded the MerrellKatsouros Partnership in June of 2002. The Partnership focuses on developing policies that balance the use and conservation of our ocean and coastal resources. The Partnership also provides public education on marine resource issues. Core competencies at MerrellKatsouros LLP include the abilities to understand complex interactions of human systems with natural systems at local, regional and national scales and to apply these understandings to the design of governance principles and management systems. MerrellKatsouros LLP personnel are recognized experts in formulating strategic approaches to issues and in designing specific solutions to critical issues by taking a vision or concept to goal statements, then to definitive objectives, and finally to performance measures.

Mary Hope Katsouros and William J. Merrell of MerrellKatsouros LLP prepared this report as part of the requirements of their Contract with the Pacific States Marine Fisheries Commission. The series of reports produced under this contract reflect the views and interpretation of MerrellKatsouros LLP and not those of the National Marine Fisheries Service or the Pacific States Marine Fisheries Commission. MerrellKatsouros LLP is solely responsible for the report and its contents.

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CHAPTER 1

THE PROJECT

1.1 Origin and Description of the Project

Present-day laws, policies, and paradigms encompassing management of U.S. Marine Fisheries can be traced back to the recommendations of a 1969 report, *Our Nation and the Sea*, by the Commission on Marine Science, Engineering, and Resources (Stratton Commission). The recommendations of the Stratton Commission led to the creation of the National Oceanic and Atmospheric Administration (NOAA) in 1970 and the transfer into this new agency of the National Marine Fisheries Service (NOAA Fisheries), then the Bureau of Commercial Fisheries.

The Stratton Commission also laid the groundwork for the passage of the Fishery Conservation and Management Act of 1976. A principal feature of the Act was the creation of eight (8) regional Fishery Management Councils that represented a decentralized, participatory system with significant stakeholder involvement in fisheries conservation and allocation decisions. Over the years, the eight councils have evolved individually and exhibit significant differences with respect to policies, practices, and levels of public participation and access.

Most stakeholders believe that the present system of fishery management needs improvement, but they are unsure about the nature of the problem, the type of change required, the possible options, and how best to measure progress.

As the diverse interests of marine resource stakeholders increasingly diverge, and as the political resolve to reshape existing legal and regulatory processes grows, there is a critical need for a systematic evaluation of fisheries management and the process of public participation in that management. To generate information important to the pending reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA, P.L. 94-265), Congress and the National Marine Fisheries Service are working to better understand ways for the United States to fulfill its responsibilities in marine stewardship. Recent and ongoing evaluation efforts include: the U.S. Commission on Ocean Policy, Congressional hearings on Magnuson-Stevens Act reauthorization, and a number of Congressionally mandated studies (key works: National Academy of Public Administration, Court, Congress and Constituencies: Managing Fisheries by Default; National Academy of Science, Science and Its Role in the National Marine Fisheries Service; Marine Fisheries Advisory Committee, A Perspective on the National Marine Fisheries Service: Issues and Recommendations); and National Academy of Public Administration (Kammer Report), An Independent Assessment of the Resource Requirement for the National Marine Fisheries Service.

A key recommendation of the Kammer Report is that “The (NOAA Fisheries) Assistant Administrator design and implement processes for developing and evaluating its programs and updating its policies that involve constituents and partners where these groups or individuals have expertise and/or will be affected.” This project is a response to that recommendation.

1.2 How the Project was Conducted

NOAA Fisheries, working with the Pacific States Fisheries Management Commission, contracted with MerrellKatsouros LLP to schedule a series of regional constituent sessions and to evaluate constituent’s e-mail communications. The purpose of the sessions was to gather public input on ways to improve the effectiveness of NOAA Fisheries and its management of living marine resources.

The regional sessions were a collaborative effort that involved all major marine fisheries interests. The primary objective was to assemble and analyze the diverse opinions, attitudes, and perspectives of marine resource stakeholders as they relate to the broad themes of U.S. fisheries management. A secondary objective was to identify possible performance measures.

The meetings were announced in the *Federal Register*, on the NOAA Fisheries web page, and on the web page of each of the regional Fishery Management Councils. In addition, stakeholders unable to participate at the regional sessions were encouraged to use the E-Comments pilot program to share their views. The following questions were developed to assist stakeholders:

1. What are the most important issue facing fisheries in your region?
2. Who has responsibility over this issue? If unclear or uncertain, who should be in charge?
3. Does the solution require (a) no change to the present administrative or statutory structure; (b) administrative changes, and if so what would you propose; or (c) statutory changes, and if so, what would they be?
4. How could one measure if the solution is being properly implemented and working?
5. Briefly describe the best way to keep you informed about changes within NOAA Fisheries and fisheries management?

Three constituent sessions for the Pacific region were held, one in San Francisco, Calif. on September 24, 2003, and two in conjunction with the Pacific Fishery Management Council on September 8-9, 2003, in Seattle, Washington. Two hundred and

fifty-five stakeholders participated in the sessions. Sixty-four of the stakeholders made statements. In addition, twenty-nine e-mail messages were received that commented on fisheries management in the region.

At the beginning of the each session, Dr. William Hogarth presented his views on the status of U.S. Marine Fisheries. Dr. Hogarth's presentation is summarized in Chapter 2, and a copy of his visual aids is available in Appendix 2. There was also a discussion about the region's fisheries led by Dr. Hogarth and the NOAA Fisheries Regional Administrator. Chapter 3 provides an overview of the Regional Council, the fisheries under its management, and important topics now being considered. After the presentations, the stakeholders presented their views. A summary of the stakeholders' comments is contained in Chapter 4.

CHAPTER 2

U.S. MARINE FISHERIES – PRESENTATION BY DR. WILLIAM HOGARTH

This chapter contains a summary of the national status of U.S. Marine Fisheries presented at the regional constituent sessions by the Assistant Administrator for NOAA Fisheries, Dr. William Hogarth. Appendix 2 contains Dr. Hogarth's slides.

The following are excerpts from Dr. Hogarth's opening remarks:

...We do have great fisheries in this country. We know that management works, and it's just a matter of working together.

...We're responsible and you're responsible for managing around 952 stocks, of those, 259 of them are considered major, and some are considered minor stocks. When we say minor, the only reason is because we look at it from a standpoint of landings, because we have to give Congress a report. Each year we give Congress a report on major and minor stocks.

Twenty species have come off the overfished list in the last five years, and 25 fish stocks have come off the overfishing list. We still have 86 overfished stocks, but about 70 of

those already have rebuilding plans in place. We implemented a schedule to have all 86 stocks with rebuilding plans no later than 2005 [two of them in 2005, the rest (84) of them will probably be in 2004)]. We added seven species last year and we took six off. So it goes back and forth when you manage a stock for conservation and use.

If you look at the commercial fishery in the U.S., we land about 9.5 billion pounds in the U.S. and we're the world's fourth largest fishing nation. These fish have value at dockside of about 3.2 billion dollars. We import about 18.5 billion dollars in fishery products and we export only 11.8. So, we have a deficit in fisheries related trade.

...U.S. Citizens consumed about 14.8 pounds per person in 2001 and last year shrimp was the number one crop in the U.S. It overtook tuna.

...We are importing between 60 and 70 percent of all the seafood we utilize in this country, and we're importing about 88 percent of all the shrimp utilized in the U.S. We import shrimp from 33 countries. We do not currently have the standards on antibiotics in this country that other countries have. We are getting quite a few shrimp imported into the U.S. and, in turn, that has really flooded the market. The imports are really becoming a problem for our fisheries and we need to look at how we can help in this effort. I think aquaculture from foreign countries is

producing very inexpensive products. A lot of money is being invested.

We don't do much in this country with aquaculture. We are in the process now of trying to determine the role of NOAA Fisheries and how we should be doing aquaculture.

...The recreational fishing industry has over 17 million people that fish. They make 65 to 70 million fishing trips per year. They land about 135,000 metric tons...

...Over 17 million Americans participated in recreational fishing in 2002, totaling over 65 million fishing trips and supporting almost 350,000 jobs with an economic impact of more than \$30 billion.

...The economic value of the commercial fishery is also around 28 to 29 billion dollars. Therefore, we're dealing with a total fishery worth close to 60 billion dollars in gross national product. If you look at management of overfished stocks and opportunities, that could be increased at least 15 to 20 percent. So, we have our work cut out for us.

We have about 349,000 jobs supported by the recreational industry. Factoring in personal incomes and related expenditures, it really gets to be very big business.

The top ranking recreational fishing state, of course, is Florida. California follows in second place. If Texas provided data, Texas would be ranked number three.

Excerpts from Dr. Hogarth's slide presentation follow:

*THE STATE OF U.S. MARINE FISHERIES IS
IMPROVING*

...The State of U.S. Marine Fisheries is improving. We have been making steady, incremental, progress in improving the nation's marine fisheries.

- *Status of Stocks: 932 federally managed stocks*
- *259 major stocks account for 99.9 percent of total landings, the rest (672) are considered minor stocks*
- *695 stocks have unknown status*
- *86 stocks still listed as overfished, but we continue our commitment to rebuilding*

LET ME TELL YOU WHY:

I think we are improving. In the last five years, we have reduced the number of stocks from both the overfished and overfishing categories:

- *Overfished – 20 removed, 7 added = +13*
- *Overfishing – 26 removed, 12 added = +14*
- *70 rebuilding plans have been adopted*

MY PRESENTATION WILL FOCUS ON:

- *Value of U.S. Marine Fisheries: Commercial statistics, Recreational Statistics, and Import/Export Statistics*
- *How the Region is Doing*
- *Challenges and Goals*

VALUE OF U.S. MARINE FISHERIES

U.S. RECREATIONAL FISHERY STATISTICS

- *Over 17 million participants*
- *Over 65 million fishing trips per year*
- *Over 135 thousand metric tons landed per year*
- *Economic impact of more than \$30 billion*

- *More than 349,000 jobs supported*

Ecosystem-based management affects the recreational industry quite a bit in that one needs to look at Marine Protected Areas or other things that may protect fish. If you look at Number 3 of my goals, where it says stabilize for maximum economic benefit, I think that recreational is part of the maximum economic benefit. The big issue in the future is the allocation between commercial and recreational because the recreational industry is growing.

MY TEN GOALS

- 1. Review National Standard 1 Guidelines*
- 2. Explore Ecosystem-based management*
- 3. Stabilize fisheries for maximum economic benefit and improve rebuilding plans*
- 4. Increase communication and cooperative research with industry*
- 5. Promote U.S. seafood*
- 6. Incorporate ocean observing system*

7. *Minimize bycatch and develop new gear technology*
8. *Develop pilot projects in aquaculture*
9. *Improve timeliness and responsiveness in management*
10. *Export gear technology internationally to help recover endangered species*

We have made great progress in management. There are a lot of success stories, but we still have a lot of work to do. We need to make sure that we take credit for what has been done and we should be dedicated to improving management.

Summer flounder is coming off the overfished list. The surfclam and ocean quahog are no longer classified as overfished. Squid and butterfish are no longer overfished. Salmon runs this year are very high.

The listing criteria for the Endangered Species list, the Jeopardy Standard, and Essential Fish Habitat are all issues that must be covered. The Council is required to designate Essential Fish Habitat for all of these 952 species for four life stages.

We need to be timelier and more responsive. I don't know if we can do anything with that before Magnuson is reauthorized, which will probably be in about a year.

We are trying to beef up our Constituent Services in NOAA Fisheries.

My [Hogarth's] job, and people might disagree with me, but the job I took is to manage these fisheries for maximum economic benefit to the country. And that means that you are going to have stocks that will be reduced to probably 50 to 60 percent of their natural levels. I feel pretty confident that cooperative research is an excellent way to make progress.

We need to do a better job of promoting seafood in the U.S. Just because a stock is overfished, does not mean it should not be utilized by the American public if a rebuilding plan is in place.

CHAPTER 3

THE PACIFIC REGION

3.1 The Council

The Pacific Fishery Management Council (PFMC) is one of eight regional fishery management councils established by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The PFMC manages fisheries off the coasts of California, Oregon, and Washington and includes the state of Idaho. The council has 14 voting members – one from the National Marine Fisheries Service, one from an Indian tribe with federally recognized fishing rights, four from state fishery agencies, and eight public members appointed by the Secretary of Commerce.

The port of Los Angeles, Calif. landed the largest volume of fish in the region in 2002 of 170 million pounds. The port of Astoria, Oregon landed the largest dollar value of fish in the region at almost \$24 million in 2002.

The Pacific Council shares limited management over Pacific halibut with the North Pacific Fishery Management Council. Primary management responsibility for this

species is held by the International Pacific Halibut Commission, to which the council makes recommendations about regulations. This stock is not overfished.

3.2 Fishery Management Plans (FMPs) for the Region

Presently, the PFMFC is responsible for four fishery management plans (FMPs). The plans are:

1. Fishery Management Plan for Groundfish

The groundfish managed under the Pacific Coast Groundfish Fishery Management Plan include more than 80 different species that, with a few exceptions, live on or near the ocean floor. These are made up of the following species: rockfish, flatfish, groundfish, sharks and skates, and other species.

The groundfish fishery has been significantly reduced in the past decade. The Secretary of Commerce declared a groundfish disaster in 2000. In 2002, the Council was presented with revised science that showed that three species designated as overfished – yelloweye, bocaccio and canary rockfish – were reproducing more slowly than previously thought. The next month, the Council adopted expansive continental shelf closures to protect these species. These restrictions went into effect in summer 2002 and continue,

with some modifications, today. The groundfish FMP was established in 1994, creating guidelines for the annual process of setting harvest levels.

2. Fishery Management Plan for Salmon

This fishery management plan covers the coast-wide aggregate of natural and hatchery salmon species in the salmon fisheries in the exclusive economic zone (EEZ) off the coasts of Washington, Oregon, and California. Salmon of U.S. and Canadian origin are included except when specific species are managed in those waters by another management entity with primary jurisdiction (i.e., sockeye and pink salmon by the Fraser River Panel of the Pacific Salmon Commission (PSC) in the Fraser River Panel Area (U.S.) between 49°N latitude and 48°N latitude). The essential fish habitat for these species includes marine areas within the EEZ as well as estuarine and freshwater habitat within the internal waters of Washington, Oregon, California, and Idaho.

For its Salmon fisheries, the Council uses predictive methods to determine fishing areas and seasons that reduce impacts on weak stocks while allowing harvest of abundant stocks.

Chinook or king salmon and coho or silver salmon are the main species caught in Council-managed ocean salmon fisheries. In odd-numbered years, catches of pink salmon can also be significant, primarily off Washington and Oregon. Therefore, while

all species of salmon fall under the jurisdiction of this plan, it currently contains species listed under the Endangered Species Act (ESA) that is measurably impacted by Council fisheries. To the extent practicable, the Council has portioned this coastwide aggregate of Chinook, coho and pink salmon into various stock components with specific conservation objectives.

Recent improvements in ocean conditions, an improved record in achieving spawning escapement goals, and freshwater habitat restoration efforts have resulted in record or near-record returns for many salmon stocks, including stocks listed under the ESA. In 2003, the Council set seasons that provided the largest number of angler trips since 1991 and the second highest commercial value since 1989.

3. Fishery Management Plan for Coastal Pelagic Species

Coastal Pelagic Species (CPS) include northern anchovy, market squid, Pacific bonito, Pacific saury, Pacific herring, Pacific sardine, Pacific (chub or blue) mackerel, and jack (Spanish) mackerel. “Pelagic” means these fish live in the water column as opposed to living near the sea floor. They can generally be found anywhere from the surface to 1,000 meters (547 fathoms) deep. Five of these species are managed under the Pacific Council’s CPS fishery management plan.

This fishery management plan for coastal pelagic species (CPS) constitutes Amendment 8 to the northern anchovy FMP. Amendment 8 adds Pacific sardine, Pacific (chub) mackerel, jack mackerel, and market squid to the fishery management unit, which currently only covers northern anchovy, and changes the name of the FMP to “The Fishery Management Plan for Coastal Pelagic Species.” In addition, the amendment contains a system of “Active” and “Monitored” management categories to allow the direction of management and research efforts where they are most needed. The amendment also includes a limited entry program for coastal pelagic finfish species south of 39° N latitude. The amendment contains harvest policies that preserve a portion of the stocks as forage for marine mammals and birds while maintaining a stable fishery, and an essential fish habitat section, both of which conform to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The coastal pelagic species (CPS) fishery are generally viewed as healthy and well-managed. No coastal pelagic species are overfished and the fishery is stable.

4. Fishery Management Plan for Highly Migratory Species

Highly migratory species (HMS) are fish that move great distances in the ocean to feed or reproduce. In their migrations, they may pass through the waters of several nations and the high seas. Their presence depends on ocean temperatures, availability of food, and other factors. They are harvested by U.S. commercial and recreational fishers

and by foreign fishing fleets. Only a small fraction of the total harvest is taken within U.S. waters.

Under Construction: Fishery Management Plan for Pacific Halibut

Pacific halibut is managed by the United States and Canada in a bilateral commission known as the International Pacific Halibut Commission (IPHC). Each year, the IPHC sets total allowable catch levels for halibut that will be caught in the U.S. and Canadian EEZs in the northeastern Pacific Ocean. The IPHC refers to U.S. waters off the states of Washington, Oregon, and California collectively as “Area 2A.” Regulations for Area 2A are set in place by the National Marine Fisheries Service’s Northwest Regional Office. Halibut in Area 2A is divided between Tribal and non-Tribal fisheries, between commercial and recreational fisheries, and between recreational fisheries in different states. The PFMC describes this halibut catch division each year in a Catch Sharing Plan.

CHAPTER 4

ISSUES IDENTIFIED BY CONSTITUENTS

This chapter provides a summary of the issues presented by participants at the constituent sessions and provided electronically through email. The issues have been divided into national and regional topics. For this report, regional issues are issues that primarily affect the Pacific region.

Sessions of the 2003 NOAA fisheries constituent hearings for the Pacific region were held September 8th and 9th in Seattle, Washington, in conjunction with a meeting of the Pacific Regional Fishery Management Council, and September 24, 2003 in San Francisco, Calif. These constituent sessions had 225 attendees, 64 of whom made presentations during the sessions. Twenty-nine e-mail messages were received from constituents from the Pacific region. The national issues identified by the Pacific constituents were divided into sixteen topics: aquaculture-marine; bycatch; councils; ecosystem management; economic, social and cultural issues; enforcement; essential fish habitat; infrastructure – land-based; management, Magnuson Stevens Act; marine mammals; marine protected areas; NOAA leadership; overcapitalization/rationalization; Pew Oceans Commission, National Commission on Ocean Policy; regulatory streamlining; and science/data/observations. Responses to these issues are summarized below:

NATIONAL ISSUES

National issues identified by constituents either at regional sessions or electronically, by topic in alphabetical order, are:

1. Aquaculture - Marine

- Farming fish is bad because suspended solids (contaminants) hurt the ecosystem
- Aquaculture hurts small fisherman and coastal communities
- The public will not allow subsidies to help corporate aquaculture operations
- NOAA is hiding its plans to push aquaculture
- Should be a moratorium on aquaculture until national standards are established
- Non-profit environmental groups are financing some experimental fish farms
- Finfish aquaculture needs national standards
- Must solve water quality, habitat modification, disease, and fish food problems before allowing aquaculture
- Aquaculture projects must demonstrate a net benefit to the ocean before proceeding
- You cannot recreate the ocean with hatchery fish
- Could cause widespread devastation if controls aren't put into place
- NOAA should provide the science, research and leadership to have offshore agriculture move forward
- NOAA should have statutory authority to regulate aquaculture in the Exclusive Economic Zone (EEZ)
- Need to establish a limited number of regional advisory committees for

aquaculture

2. Bycatch, Bycatch Reduction

- Need to work on gear modifications that would reduce bycatch
- Bycatch is a waste. It should be reduced to zero
- Need to reduce bycatch and bycatch mortality
- Fishermen need Individual Fishery Quotas (IFQ) to reduce bycatch
- Need better accounting of bycatch
- Should be more absolute caps on bycatch
- NOAA Fisheries and the Councils have not been effective in reducing the bycatch of marine mammals in fishing operations

3. Councils

- Need more balanced Councils
- Must be inclusive and pay attention to science
- Need to eliminate conflicts of interest
- Council process hasn't worked
- Councils do not use NOAA Fisheries' economic analyses well
- It's hard for the affected people to make a conservation decision
- Separate conservation decisions from allocation decisions
- People who sit on council advisory committees should be compensated
- The council bias in favor of fishermen is shocking
- Need more money to ensure a vigorous public process
- Council's websites are a good source of information about councils
- Unbalanced membership is a problem
- NOAA Fisheries should use its influence to appoint members to councils who would curtail fishing

4. Ecosystem Management

- Need to be able to control predators
- Need a more holistic approach to ecosystem-based management
- Need to consider ocean regime changes
- We have to phase in predictive science
- Coral and sponge habitats provide important ecological functions
- Remember that humans are linked to ecosystems
- Bottom trawlers hurt the ecosystem
- The private sector needs to be educated about the need to preserve intact ecosystems
- Need to consider the human impacts – land use, infrastructure, public works
- Must give more thought to the land side of the ecosystem
- Conservation of ecosystems should be the highest principle of fisheries management

5. Economic, Social and Cultural Issues

- Recreational fishing is an increasingly important part of the fishing communities' income
- The fishing industry is shifting from small businesses to large corporations
- Need to look at market issues – i.e. maintaining a steady supply of fresh product is how to obtain the best prices
- Need more social scientists in fishery research
- Need more and better economic analyses to be sure that we are getting the most economic benefit from fisheries
- Need to maximize economic benefit in bycatch allocation
- Need to develop a community-based ocean connectiveness and values for

better stewardship

- Need to integrate traditional and native perspectives into our base of knowledge
- Need to get the true costs of fisheries products right, including management Costs, and end subsidies
- Need to compare economic returns for recreational versus commercial fishing for each species fished
- Commercial fisheries don't get credit for providing the consumer a quality product at a good price
- Need economic assistance to fishermen
- Need to label seafood by origin because US products will command a better price
- Small commercial fishers should be protected
- Should label seafood as to its environmental impact and species sustainability because consumers will pay more for such products
- Human needs must also be considered in fisheries management decisions

6. Enforcement

- Coast Guard now has additional responsibilities
- Need even more joint enforcement with the states
- Vessel Monitoring System (VMS) is an exciting development for enforcement as well as safety

7. Essential Fish Habitat

- Need to develop fishing gear that will not harm the habitat
- Must protect habitat because it cannot be replaced
- Areas with high concentration of corals and sponge must be designated as

Essential Fish Habitat (EFH)

- Deep sea corals are essential to fish habitat – close them to bottom fishing

8. Infrastructure – Land-based

- Need better shipping and ice facilities along the coasts

9. Management, Magnuson-Stevens Act

- Management is working, the fish are coming back
- Management has evolved over the years from development to allocation fights to sustainability
- Need more limited entry fisheries
- Must foster the sustainability of fisheries
- Stop all bottom trawling in the Pacific
- Stop bottom trawling in sensitive areas
- Stop bottom trawling in areas with deep-sea corals or sponges
- Some rebuilding strategies are, and must be inter-generational in length
- Catch overages should count against next year's plan
- Some overfished species still don't have rebuilding plans
- The old management warnings were stock assessments, now it's habitat
- The last five years have been wasted responding to litigation instead of doing research
- Fisheries management is in a good place – it needs to stay the course
- NOAA Fisheries does not allow the public enough time to evaluate the many thousand-page Environmental Impact Statements (EIS) now being developed
- A fish stock that surveys show to be at 25% of its pre-fished population might not be overfished – The fish may have moved to another part of the ocean or the survey may have missed them

- Maximum Sustainable Yield (MSY) is a pitfall. It leads to poor management. It was the best we could do 30 years ago. We need to develop something else
- We continue to set harvest levels using 3 or 4 year old information
- Need to manage on longer time horizons. Management is lost in day-to-day decisions
- Rapidly developing a management system where people don't count. Need to have fisheries as well as fish
- Magnuson-Stevens Act is a strangle hold – makes us do guesswork for what stocks were in 1965
- We have to consider the possibility that the Magnuson-Stevens Act is a failure
- It is time to fundamentally change the Magnuson-Stevens Act to establish conservation as its purpose
- NOAA Fisheries should close presently un-fished areas to fishing
- There is a conflict between short-term management and the long-term need to prevent harm to marine resources
- Management has failed because there has been a decrease in the abundance of fish
- The world's seafood supply is decreasing
- Alaska provisions in Senate appropriations bills are a troubling precedence
- Management should adopt a long-term inter-generational approach
- Recovery will not be achieved until all parts of the community work together
- Our oceans are already a disaster - stop overfishing and environmental destruction
- Need to stop fishing until oceans and marine life return to pristine conditions
- Need to manage for sustainability
- Need to live up to the English common trust doctrine that is incorporated into our laws

10. Marine Mammals

- Sea lions are out of control. They now have a population of 250,000 compared with a historical estimate of 170,000 animals
- Sea lions are taking tuna off the hook and other fish out of the net
- Sea otters are wiping out the abalone
- Fish depletion in California waters is because of the explosion of marine mammal populations
- The U.S. Navy is harming whales with active sonar
- NOAA is handmaiden to the Navy in the marine mammal permitting process
- NOAA second guesses sound science to give the Navy the authorizations it wants
- Sea lions and harbor seal populations are exploding. They are predators that need to be managed
- Need research on non-lethal control of marine mammals
- NOAA and the councils have failed to effectively reduce the animals killed in fishing operations
- The numbers of Stellar sea lions, walruses, sea otters, and dolphins are declining

11. Marine Protected Areas

- National Marine Sanctuaries should stay out of fisheries management
- It's confusing as to who regulates fishing in Sanctuaries
- Marine Protected Areas (MPA) are the "insurance policies" for fisheries
- NOAA Fisheries management sometimes conflicts with the MPAs managed by NOAA's National Ocean Service (NOS)
- NOAA Fisheries and NOS should be partners in managing marine sanctuaries
- No-take zones and sanctuaries protect spawning stock

- Fishing should be curtailed in National Marine Sanctuaries, especially fishing that tears up the bottom
- The Sanctuaries program has a more diverse advisory structure than Fishery Management Councils, so they should make decisions about fishing in sanctuaries
- Sanctuaries advisory committees do not represent fishermen adequately
- NOAA Fisheries' role in managing fish in sanctuaries should be to protect the habitat and ecosystem, not to remove as many fish as possible
- Marine reserves should be as large and diverse as possible
- Sanctuaries are areas of unique ocean life that deserve special protection
- Do not establish new sanctuaries or let the existing sanctuaries expand
- Remove the Sanctuaries program, it was established to control oil drilling and has outlived its usefulness

12. NOAA Leadership

- Gives into processors
- Needs to stop the favored client relationship with fishermen
- Has a responsibility to uphold treaty/trust relationship with Native Americans
- Has done a great job pushing new gear technology
- NOAA Fisheries does not do enough to represent itself in law suits
- NOAA Fisheries is working very well with the state fisheries directors
- NOAA science centers and regional offices are working well with the councils
- Need to move fisheries management to an independent department of the oceans
- Should exert their authority to force the councils and stakeholders to make dramatic changes

- Must stop government loans for new fishing vessels

13. Overcapitalization/Rationalization

- We are overcapitalized and we must find a way for people to get out of fishing gracefully
- We are in the mist of a difficult transition but we need to stay the course and rationalize fisheries
- Need to expand funds for buybacks
- Individual Fishing Quotas (IFQ) lead to the demise of the small operator
- Must stop “tragedy of the commons” by limiting access
- Need to move forward with IFQs. The east coast is holding everyone back
- Congress doesn’t need to set IFQ standards. The councils will set standards appropriate for their region
- Should stay out of promoting U.S. seafood
- NOAA has a worldwide influence that they should use to help start an international conservation-based regulatory authority that would link the economy with the health of the planet
- Should get more active in coastal development, pollution and fresh water flow issues
- NOAA Fisheries should use its influence on council appointments to curtail fishing
- NOAA Fisheries would be better off if more people were like Bill Hogarth
- Needs to spend much more money on education about life in the sea
- Needs a worldview – fisheries and corals are being devastated
- Implementing IFQs is premature until national standards are formed
- Processors can control the fishery, making harvesters sharecroppers
- Processors have a conflict of interest when they ask for resource rights
- IFQ programs should pay for themselves
- Need to buy back the overcapacity in the fishing fleets

14. Pew Oceans Commission, National Commission on Ocean Policy

- Pew Ocean Commission report recommendations should be adopted – especially those related to overfishing, habitat destruction and reducing bycatch
- Conservation groups have exaggerated the facts to get donations
- Pew report recommendations are reasonable and pertinent
- Congress should implement Pew report recommendations
- Pew is nothing but gloom and doom
- Pew is bad propaganda

15. Regulatory Streamlining

- There is widespread support for minimizing the time lags in the system
- Regulatory streamlining is really front loading with more work being done at the council level

16. Science/Data/Observations

- Need standardized fish accounting/landing information nationwide
- New technology, like card swipes, should be used in fish accounting
- Need more social-economic research
- Need geo-spatial data bases
- Need more collaborative research
- Collaborative research has come a long way
- Need to collect better observer data and get full value from that data
- Need better commercial and recreational economic data for each fishery
- Need timely recreational data for use by the advisory panels

- Surveys should be where the fish are – not where they aren't
- A fisherman should be on every NOAA Fisheries research cruise
- Trawl surveys do not properly assess groundfish or rockfish
- Peer review of stock assessments slows down analysis
- Need more maps of ocean bottom conditions
- Need to consider ocean regime changes and conduct predictive science
- Need more port samplers and recreational data
- There is good cooperation between NOAA scientists and fishermen
- Need more observer coverage
- Need better science, especially ecosystem science
- Need more research dollars
- Need to understand ocean regime changes – especially in the Pacific
- Cooperative Research Program is really paying off
- Need more surveys and related data
- Need fisheries independent measures of catch, bycatch and spawning
- Need information on total mortality caused by both commercial and recreational fishing

Regional Issues

Topics identified by the constituents, specific to the Pacific, are the following:

- Need full Mitchell Act funding to support salmon hatcheries
- Lingcod management is excellent
- California stocks/management should be broken up between Northern and Southern California

- NOAA should fund tribes to do their own rockfish and groundfish surveys
- NOAA needs to look more at the limitations to hatchery production when setting catch limits on salmon
- Groundfish has been the poor stepchild of NOAA on the west coast
- Forty eight days is too short a time to comment on a 7,000 page Environmental Impact Statement (EIS)
- Need more regional flexibility in the sardine fishery
- Pacific Fisheries Management Council has let segments of the industry “rape” the West Coast groundfish.
- The Pacific Fisheries Management Council is intimidating. It should be broken into smaller more localized groups
- Water flow, hence Water Boards, are a critical issue in California’s salmon restoration program
- Logging is discharging sediment into salmon streams. Timber harvest plans need to be approved by NOAA Fisheries
- NOAA Fisheries should be more active in working with local and regional entities on salmon issues – watershed by watershed
- Southwest Science Center is outstanding
- The sanctuaries near Monterey Bay should be combined and enlarged to connect with each other and be co-managed
- Need to clarify the promise to fishermen in the California coastal sanctuary designation documents. Sanctuaries management is driving fishermen out
- The Monterey Bay National Marine Sanctuary Advisory Committee is attempting to manage fisheries in the sanctuary when it is the council’s responsibility by law